

REMARKS

In the non-final Office Action, the Examiner objects to the specification due to an informality, rejects claims 1-37 under 35 U.S.C. § 102(e) as anticipated by PETTERSEN (U.S. Patent No. 6,826,594), and rejects claims 1, 10, 16, 17, 20, 21, and 35 as anticipated by DELPH (U.S. Patent No. 6,356,934). Applicants respectfully traverse these rejections.

By way of the present amendment, Applicants amend the specification to improve form. No new matter has been added by way of the present amendment. Claims 1-37 remain pending.

The specification stands objected due to an informality. In particular, the Examiner requests that the information in the "Cross Reference to Related Applications" section be updated to reflect the most current data (Office Action, pg. 2). Applicants have amended the specification herewith to address the Examiner's concerns. Accordingly, Applicants respectfully request that the objection to the specification be reconsidered and withdrawn.

Claims 1-37 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by PETTERSEN. Applicants respectfully traverse.

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. Applicants submit that PETTERSEN does not disclose or suggest the combination of features recited in Applicants' claims 1-37.

For example, independent claim 1 is directed to a method for modifying a markup language document. The method includes receiving the markup language document at an intermediary server, where the markup language document has at least one script portion including at least one link to a resource; and modifying the at least one link within the script

portion of the markup language document to link to the intermediary server. PETTERSEN does not disclose or suggest this combination of features.

For example, PETTERSEN does not disclose or suggest modifying the at least one link within the script portion of the markup language document to link to the intermediary server. The Examiner relies on col. 13, lines 45-59, and col. 15, lines 38-46, of PETTERSEN for allegedly disclosing the above feature of Applicants' claim 1 (Office Action, pg. 3). Applicants disagree with the Examiner's interpretation of PETTERSEN.

At col. 13, lines 45-59, PETTERSEN discloses:

The central linking web site 380, in one sense, provides linking information between affiliate web sites 390 and merchant web sites 370. The linking information is stored in a "dynamic" lookup table 383. The central linking web site 380 also includes a web server 381 which, among other things, responds to requests from affiliate web sites 390 for linking information. Application programs 382 resident at the central linking web site 380 are executed to carry out various functions of the central linking web site 380. The application programs 382 may access the dynamic lookup table 383 or an optional accounting database 384, the general purpose of which is to track usage of the dynamic links in any of a variety of manners, as will be described in more detail hereinafter.

This section of PETTERSEN discloses that a central linking web site 380 provides linking information between affiliate web sites 390 and merchant web sites 370. This section of PETTERSEN in no way discloses or suggests modifying at least one link within a script portion of a markup language document to link to an intermediary server, as recited in claim 1.

At col. 15, lines 38-46, PETTERSEN discloses:

An advantage of the system 350 illustrated in FIG. 6 is that merchants can maintain complete control over the content of their advertisements, and, by making changes to the information in the dynamic lookup table 383, may make changes at will to the content associated with their advertisements. In addition, any changes will be immediately reflected in any and all affiliate web pages 370 referencing the advertisement, without any effort on the part of the affiliate(s).

This section of PETTERSEN discloses that a merchant may make changes to the content of their advertisements. This section of PETTERSEN in no way discloses or suggests modifying at least one link within a script portion of a markup language document to link to an intermediary server, as recited in claim 1.

PETTERSEN is directed to the ability to send additional content to a user after the user has received an HTML document. PETTERSEN specifically discloses that, when a user system 360 requests a web page from an affiliate web site 390, affiliate web site 390 contacts central linking web site 380 to obtain destination links and affiliate web site 390 embeds the destination links or the content from the links in a web page for sending to a user system 360 (col. 15, lines 16-25). At the user system 360, the user browser 362 can automatically retrieve the content from the merchant web site 370 if affiliate web site 390 did not embed the content (col. 15, lines 25-31). PETTERSEN in no way discloses or suggests that affiliate web site 390, central linking web site 380, or merchant web site 370 acts as an intermediary server or that affiliate web site 390, central link web site 380, or merchant web site 370 modifies at least one link within a script portion of a markup language document to link to an intermediary server, as recited in claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by PETTERSEN.

Claims 2-9 depend from claim 1. Therefore, Applicants submit that these claims are not anticipated by PETTERSEN for at least the reasons given above with respect to claim 1. Moreover, these claims recite additional features not disclosed or suggested by PETTERSEN.

For example, claim 2 recites delivering the markup language document to the client after modifying the at least one link to link to an intermediary server. The Examiner relies on col. 16,

lines 15-43, of PETTERSEN for allegedly disclosing this feature (Office Action, pg. 4).

Applicants respectfully disagree.

At col. 16, lines 15-43, PETTERSEN discloses:

In more detail, starting first with the embodiment illustrated in FIGS. 9A, 9B and 9C, a request is initially made to access an affiliate web site 390 from the user system browser 362 by entry of an appropriate address--e.g., "www.affiliate.com", as illustrated in FIG. 9A. In response to the request from the user system browser 362, the web server 391 at the affiliate web site 390 serves the requested web page 378 to the user system 360. The web page 378 may contain embedded links to the central linking web site 380 or, more specifically, index information referencing the dynamic lookup table 383 at the central linking web site 380 along with instructions to the user browser 362 to retrieve the content from the central linking web site 380. Preferably without user intervention, the user system browser 362 transmits the index information for each embedded link to the central linking web site 380 which, in response thereto, looks up the destination link corresponding to the index information of each embedded link.

The central linking web site 380 then retrieves the information (e.g., an image file, such as a banner advertisement) from the destination link location, which will typically be a reference to a location at the central linking web site 380. However, the content information may also be stored at a merchant web site 370, and may be accessed by the central linking web site 380 making a back-end request to the merchant web site 370 for the particular data (which alternative is illustrated in FIG. 9A by the arrow connecting to the merchant web site 370, and in FIG. 9B by the return of content files 377).

This section of PETTERSEN discloses that a user requests a web page from an affiliate web site 390, which provides the requested web page to the user. The web page may include embedded links to the central linking web site 380, which causes the user's web browser 362 to retrieve the content from the central linking web site 380. This section of PETTERSEN in no way discloses or suggests delivering a markup language document to a client after modifying the at least one link to link to an intermediary server, as recited in claim 2.

For at least these additional reasons, Applicants submit that claim 2 is not anticipated by

PETTERSEN.

Claim 4 recites that the modifying includes scanning the markup language document to locate the script portion; searching the script portion to locate a hostname; producing a replacement hostname for the located hostname; and replacing the located hostname with the replacement hostname. At the outset, Applicants submit that since PETTERSEN does not disclose modifying at least one link within a script portion of a markup language document to link to an intermediary server, PETTERSEN cannot disclose or suggest the features of claim 4.

The Examiner relies on col. 19, lines 22-39, and col. 27, lines 17-60, of PETTERSEN for allegedly disclosing the above features of claim 4 (Office Action, pg. 4). Applicants disagree.

At col. 19, lines 22-39, PETTERSEN discloses:

In one aspect, according to various embodiments as described herein, systems and methods are provided for dynamically determining a destination link from a code link in connection with a lookup table that uses at least one parameter in the code link to access the destination link from the lookup table. The code link may, in certain embodiments, be embedded within a web page that is to be transported to a visiting user. In a preferred embodiment, "basic" information is contained in the code link, while "dynamic" information is looked up from a lookup table located on a host computer (located at, e.g., a remote web site), at run-time. Basic information is preferably the minimal amount of information necessary to perform the look up at the web server along with any additional information that is specific to the web site the link is located on. However, in alternative embodiments, information other than basic information (as described immediately above) may be contained in the code link.

This section of PETTERSEN discloses embedding a code link into a web page to allow for dynamic information to be retrieved. Contrary to the Examiner's allegation, this section of PETTERSEN in no way discloses or suggests scanning a markup language document to locate a script portion, searching the script portion to locate a hostname, producing a replacement hostname for the located hostname, and replacing the located hostname with the replacement

hostname, as recited in claim 4. If this rejection is maintained, Applicants request that the Examiner specifically point out where these features are disclosed in the above section of PETTERSEN.

At col. 27, lines 17-60, PETTERSEN discloses:

Along with the AID designating which content file (e.g., merchant banner) to retrieve, the HTTP request to the central linking web site server 381 also includes a PID, which is a unique key used to identify the affiliate web site 390 from which the presentation request originated. An application program at central linking web site 380 logs the request for the specified AID and PID variables, and locates the content file (e.g., merchant banner) to be returned to the user system browser 362 using the AID. The central linking web site server 381 returns the merchant banner or other image or content in response to the request, and preferably writes one or more cookies to the user system browser 362 using a tracking domain name, with the cookies expiring after a predetermined amount of time (e.g., five years). The cookies are used to store impression data such as the AID, CID (company or merchant ID) and a time stamp.

For click-through processing, when a user clicks on a merchant banner or text link displayed by the user system browser 362 from an affiliate web page 393, a request is generated from the user system browser 362 to a central tracking application program (which may be one of the application programs 382) which preferably incorporates as part of the request any existing cookies from the user system browser 362 for the domain name used in the tracking request, and various parameters such as the AID and PID. The central tracking application program then preferably responds by writing cookies to the user system browser 362 and sending a redirect directive which includes all variables originally passed to the tracking domain on the initial click through. The user system browser 362 sends the new request specified in the redirect to the designated domain of the central linking web site server 381, including all cookies for that domain in the request header.

After various cookies are evaluated and updated (to validate time stamps, browser ids, etc.) by the application program, a redirect to the merchant's universal resource locator (URL) is sent to the user system browser 362 to connect to the merchant web site 370. The merchant URL can either be passed as part of the original request, or alternatively can be retrieved from the application program 382 based on the passed AID value. The user system browser 362 then sends a request to the merchant web site 370 and a merchant web page 371 is loaded into the user system browser 362 for display to the user.

This section of PETTERSEN discloses that an ad identifier (AID) indicates which banner ad is to be retrieved. This section of PETTERSEN in no way discloses or suggests scanning a markup language document to locate a script portion, searching the script portion to locate a hostname, producing a replacement hostname for the located hostname, and replacing the located hostname with the replacement hostname, as recited in claim 4. If this rejection is maintained, Applicants request that the Examiner specifically point out where these features are disclosed in the above section of PETTERSEN.

For at least these additional reasons, Applicants submit that claim 4 is not anticipated by PETTERSEN.

Independent claim 10 is directed to a method for modifying a markup language document. The method includes receiving the markup language document at an intermediary server, where the markup language document has at least a script portion including at least one of function or property statements; and modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server. PETTERSEN does not disclose or suggest this combination of features.

For example, PETTERSEN does not disclose or suggest modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server. The Examiner groups the rejection of claim 10 with the rejection of claim 1 (Office Action, pg. 5). Claim 1, however, does not recite modifying at least one of the function or property statements within the script portion of the markup language document to facilitate

access to other resources residing on one or more remote servers through the intermediary server.

The Examiner does not address this feature of claim 10. Accordingly, a proper case of anticipation has not been established with respect to claim 10. If this rejection is maintained, Applicants respectfully request that the Examiner specifically address the above feature of claim 10.

Nonetheless, Applicants submit that col. 13, lines 45-59, and col. 15, lines 38-46, of PETTERSEN do not disclose or suggest modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10.

As set forth above, col. 13, lines 45-59, of PETTERSEN discloses that a central linking web site 380 provides linking information between affiliate web sites 390 and merchant web sites 370. This section of PETTERSEN in no way discloses or suggests modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10.

Col. 15, lines 38-46, of PETTERSEN is reproduced above. This section of PETTERSEN discloses that a merchant may make changes to the content of their advertisements. This section of PETTERSEN in no way discloses or suggests modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10.

As set forth above, PETTERSEN discloses that, when a user system 360 requests a web page from an affiliate web site 390, affiliate web site 390 contacts central linking web site 380 to obtain destination links and affiliate web site 390 embeds the destination links or the content from the links in a web page for sending to a user system 360 (col. 15, lines 16-25). At the user system 360, the user browser 362 can automatically retrieve the content from the merchant web site 370 if affiliate web site 390 did not embed the content (col. 15, lines 25-31). PETTERSEN in no way discloses or suggests that affiliate web site 390 acts as an intermediary server or that any other devices acts as an intermediary server through which access to one or more remote servers can be made. Thus, PETTERSEN cannot disclose or suggest modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10.

For at least the foregoing reasons, Applicants submit that claim 10 is not anticipated by PETTERSEN.

Claims 11-15 depend from claim 10. Therefore, these claims are not anticipated by PETTERSEN for at least the reasons given above with respect to claim 10. Moreover, these claims recite additional features not disclosed or suggested by PETTERSEN.

For example, claim 11 recites that the modifying includes scanning the markup language document to locate the script portion, searching the script portion to locate a predetermined function or property statement, and replacing the predetermined function or property statement with a function call. The Examiner groups the rejection of claim 11 with the rejection of claims 1-9 (Office Action, pg. 5). Claims 1-9, however, do not recite searching the script portion to

locate a predetermined function or property statement or replacing the predetermined function or property statement with a function call, as recited in claim 11. The Examiner has completely ignored these features of claim 11. Accordingly, a proper case of anticipation has not been established with respect to claim 11.

For at least these additional reasons, Applicants submit that claim 11 is not anticipated by PETTERSEN.

Independent claims 16 and 20 recite features similar to features recited above with respect to claim 1. Therefore, Applicants submit that claims 16 and 20 are not anticipated by PETTERSEN for at least reasons similar to reasons given above with respect to claim 1.

Claims 23-29 depend from claim 20. Therefore, these claims are not anticipated by PETTERSEN for at least the reasons given above with respect to claim 20.

Independent claims 17 and 21 recite features similar to features recited above with respect to claim 10. Therefore, Applicants submit that claims 17 and 21 are not anticipated by PETTERSEN for at least reasons similar to reasons given above with respect to claim 10.

Claims 18 and 19 and 30-34 depend from claim 17 and 21, respectively. Therefore, these claims are not anticipated by PETTERSEN for at least the reasons given above with respect to claims 17 and 21.

Independent claim 35 is directed to a computer readable media including at least computer program code that, when executed by at least one processor in an intermediary server, performs a method for processing requests. The computer readable media includes computer program code for receiving, at the intermediary server, a request from a client device for an item; computer program code for determining whether the item is a hyper text markup language

(HTML) document; computer program code for forwarding the item to the client device when the item is determined not to be a HTML document; computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a uniform resource locator (URL) within the HTML document with a replacement URL to produce a modified HTML document; and computer program code for forwarding the modified HTML document to the client device. PETTERSEN does not disclose or suggest this combination of features.

For example, PETTERSEN does not disclose or suggest computer program code for forwarding an item to a client device when the item is determined not to be a HTML document and computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a URL within the HTML document with a replacement URL to produce a modified HTML document. The Examiner relies on col. 16, lines 15-43, of PETTERSEN for allegedly disclosing these features (Office Action, pg. 3). Applicants respectfully disagree.

Col. 16, lines 15-43, of PETTERSEN is reproduced above. This section of PETTERSEN discloses that a user requests a web page from an affiliate web site 390, which provides the requested web page to the user. The web page may include embedded links to the central linking web site 380, which causes the user's web browser 362 to retrieve the content from the central linking web site 380. This section of PETTERSEN in no way discloses or suggests computer program code for forwarding an item to a client device when the item is determined not to be a HTML document and computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a

URL within the HTML document with a replacement URL to produce a modified HTML document, as recited in claim 35. If this rejection is maintained, Applicants respectfully request that the Examiner logically explain how the above section of PETTERSEN can reasonably be construed to disclose the above features of claim 35.

For at least the foregoing reasons, Applicants submit that claim 35 is not anticipated by PETTERSEN.

Claims 36 and 37 depend from claim 35. Therefore, these claims are not anticipated by PETTERSEN for at least the reasons given above with respect to claim 35.

Claims 1, 10, 16, 17, 20, 21, and 35 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by DELPH. Applicants respectfully traverse this rejection.

As set forth above, a proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. Applicants submit that DELPH does not disclose or suggest the combination of features recited in Applicants' claims 1, 10, 16, 17, 20, 21, and 35.

For example, independent claim 1 is directed to a method for modifying a markup language document. The method includes receiving the markup language document at an intermediary server, where the markup language document has at least one script portion including at least one link to a resource; and modifying the at least one link within the script portion of the markup language document to link to the intermediary server. DELPH does not disclose or suggest this combination of features.

For example, DELPH does not disclose or suggest modifying the at least one link within

a script portion of the markup language document to link to the intermediary server. The Examiner relies on col. 5, lines 4-59, of DELPH for allegedly disclosing the above feature of Applicants' claim 1 (Office Action, pg. 5). Applicants disagree.

At col. 5, lines 4-59, DELPH discloses that a user can retrieve content using an intermediate server 50, which can edit HTML data by identifying the web links within the data and modifying the web links to point back to the intermediate server 50. This section of DELPH does not disclose or suggest that the HTML data includes a script, as recited in claim 1. The script, as set forth in Applicants' specification, can include, for example, JavaScript or VBscript. DELPH does not disclose or suggest an HTML document that includes script. Therefore, DELPH cannot disclose or suggest modifying the at least one link within a script portion of the markup language document to link to the intermediary server, as recited in claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by DELPH.

Independent claim 10 is directed to a method for modifying a markup language document. The method includes receiving the markup language document at an intermediary server, where the markup language document has at least a script portion including at least one of function or property statements; and modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server. PETTERSEN does not disclose or suggest this combination of features.

For example, PETTERSEN does not disclose or suggest modifying at least one of the function or property statements within the script portion of the markup language document to

facilitate access to other resources residing on one or more remote servers through the intermediary server. The Examiner groups the rejection of claim 10 with the rejection of claim 1 (Office Action, pg. 5). Claim 1, however, does not recite modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server.

The Examiner does not address this feature of claim 10. Accordingly, a proper case of anticipation has not been established with respect to claim 10. If this rejection is maintained, Applicants respectfully request that the Examiner specifically address the above feature of claim 10.

Nonetheless, Applicants submit that col. 5, lines 4-59, of DELPH does not disclose or suggest modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10. As set forth above, at col. 5, lines 4-59, DELPH discloses that a user can retrieve content using an intermediate server 50, which can edit HTML data by identifying the web links within the data and modifying the web links to point back to the intermediate server 50. This section of DELPH in no way discloses or suggests modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server, as recited in claim 10.

For at least the foregoing reasons, Applicants submit that claim 10 is not anticipated by DELPH.

Independent claims 16 and 20 recite features similar to features recited above with

respect to claim 1. Therefore, Applicants submit that claims 16 and 20 are not anticipated by DELPH for at least reasons similar to reasons given above with respect to claim 1.

Independent claims 17 and 21 recite features similar to features recited above with respect to claim 10. Therefore, Applicants submit that claims 17 and 21 are not anticipated by DELPH for at least reasons similar to reasons given above with respect to claim 10.

Independent claim 35 is directed to a computer readable media including at least computer program code that, when executed by at least one processor in an intermediary server, performs a method for processing requests. The computer readable media includes computer program code for receiving, at the intermediary server, a request from a client device for an item; computer program code for determining whether the item is a hyper text markup language (HTML) document; computer program code for forwarding the item to the client device when the item is determined not to be a HTML document; computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a uniform resource locator (URL) within the HTML document with a replacement URL to produce a modified HTML document; and computer program code for forwarding the modified HTML document to the client device. DELPH does not disclose or suggest this combination of features.

For example, DELPH does not disclose or suggest computer program code for forwarding the item to the client device when the item is determined not to be a HTML document and computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a URL within the HTML document with a replacement URL to produce a modified HTML

document. The Examiner relies on col. 5, lines 4-59, of DELPH for allegedly disclosing these features (Office Action, pg. 5). Applicants respectfully disagree.

Col. 5, lines 4-59, of DELPH discloses that a user can retrieve content using an intermediate server 50, which can edit HTML data by identifying the web links within the data and modifying the web links to point back to the intermediate server 50. This section of DELPH in no way discloses or suggests computer program code for forwarding an item to a client device when the item is determined not to be a HTML document and computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the HTML document or replacing a URL within the HTML document with a replacement URL to produce a modified HTML document, as recited in claim 35. In fact, this section of DELPH does not distinguish between HTML items and non-HTML items. If this rejection is maintained, Applicants respectfully request that the Examiner explain how the above section of DELPH can reasonably be construed to disclose the above features of claim 35.

For at least the foregoing reasons, Applicants submit that claim 35 is not anticipated by DELPH.

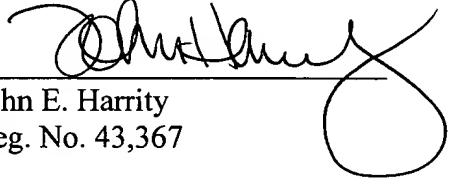
In view of the foregoing amendment and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of the present application.

PATENT
Application Serial No. 09/706,297
Attorney Docket No. 0023-0218

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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